

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Kevin L. Coleman,

Civil No. 15-cv-1856 (SRN/TNL)

Petitioner,

v.

ORDER

Charles E. Samuels, Jr.,

Respondent.

Kevin L. Coleman, 20855-014, Federal Prison Camp – Yankton, Post Office Box 700, Yankton, SD 57078 (*pro se* Petitioner);

David W. Fuller, Assistant United States Attorney, United States Attorney’s Office, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415 (for Respondent).

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated January 20, 2016 [Doc. No. 22], along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. Petitioner’s Leave to Amend Petition for Writ of Habeas Corpus [Doc. No. 12] is

GRANTED.

2. The Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 [Doc. No. 1] is

DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: February 8, 2016

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge